

REMARKS/ARGUMENTS

This communication responds to the Final Office Action dated October 17, 2007. In that Final Office Action, the Examiner rejected claims 23, 25-33 and 35-42. The rejections of the claims are traversed.

In this response, claims 23, 33 and 40 are amended. No new matter has been added by the claim modifications.

Reconsideration and withdrawal are requested.

Rejections under 35 U.S.C. § 102

Claims 23, 25, 29-31, 33, 35 and 39-42 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,141,221 to Faulls, Jr. (hereinafter "Faulls"). The rejection is improper for at least the following reasons.

Faulls does not disclose an "indented gripping surface" as claimed in the independent claims, claims 23, 33 and 40. This is because the portions of outer member 13, which the Office Action designates as lugs (*see* Office Action, Page 3) and ridges (*see* Office Action, Page 3), do not have an indented gripping surface in-between. Rather, the portion of outer member 13 the Examiner considers to be an indented gripping surface is positioned such that the beads 14a, 15a are arranged between the ridges of the outer member and the purported gripping surface. As a result, Faulls does not disclose "an indented gripping surface [that] is provided between said first ridge and said first lug and between said second ridge and said second lug" as claimed.

Further, Faulls does not suggest that outer member 13 may have alternate configurations in which an indented gripping surface may be provided *between* a first ridge and first lug and a second ridge and a second lug.

Rejections under 35 U.S.C. § 103

Claims 26 and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Faulls in view of U.S. Patent Publication No. 2003/0188510 to Vargas. Claims 27-28 and 37-38

were rejected under 35 U.S.C. § 103(a) as being unpatentable over Faulls in view of JP 8-248851 (the Japanese reference). The rejections are improper for at least the following reasons.

Vargas too does not disclose an “indented gripping surface” as claimed. Rather, Vargas discloses elongate planar member 18 in the plane of the closed circumferential portion. *See e.g.*, Fig. 2 of Vargas. This is contrary to the claimed elongate sealing member in which the ridges and lugs form the indented gripping surface in-between. *See e.g.*, Fig. 2b of the application. Nor does Vargas provide alternate teachings for providing an indented gripping surface in the manner provided in the independent claims. Therefore, even if Vargas were considered to disclose a handle as provided in claims 26 and 36, there is nothing in Vargas that would lead one to configure the elongated sealing member in the manner claimed in independent claims 23 and 33, from which claims 26 and 36 depend.

Similarly, the Japanese reference does not disclose an “indented gripping surface” as claimed. At Fig. 8 of the Japanese reference, element 71 is provided, which extends into the plane of the closed circumferential portion. This too is contrary to the claimed elongate sealing member in which the ridges and lugs form the indented gripping surface in-between. Further, the Japanese reference does not suggest an alternative to element 71. Thus, even if the Japanese reference discloses a lanyard as provided in claims 27-28 and 37-38, there is nothing in the Japanese reference that would lead one to configure the elongated sealing member in the manner claimed in independent claims 23 and 33, from which claims 27-28 and 37-38 depend.

Furthermore, in the present invention, ridges and the lugs with an indented gripping surface arranged in-between provide certain advantages over Vargas and the Japanese reference. For example, an indented gripping surfaces provide benefits to the user because the indentation on either side of the central opening allows a user to place their fingers in the indentation to maintain their grip and to avoid having their fingers slip off of the lugs when opening the receiver portion. *See e.g.*, Fig. 2B.

Moreover, the combination of Faulls and Vargas or Faulls and the Japanese reference too do not provide one of ordinary skill in the art with an understanding of the claimed invention and

the present invention is not obvious over the cited references. Recently, the U.S. Supreme Court indicated:

When it first established the requirement of demonstrating a teaching, suggestion, or motivation to combine known elements in order to show that the combination is obvious, the Court of Customs and Patent Appeals captured a helpful insight. . . . a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art. Although common sense directs one to look with care at a patent application that claims as innovation the combination of two known devices according to their established functions, it can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does.

KSR Int'l Co. v. Teleflex, Inc., 127 S.Ct 1727, 1741 (2007). The PTO should provide “an apparent reason to combine the known elements in the fashion claimed” and “this analysis should be made explicit.” *KSR*, 127 S.Ct. at 1741 (emphasis added). In the Office Action none of the cited references provides any teaching for providing “lugs coupled to the opened circumferential portion” “spaced apart from the central opening” “arranged outside of a plane corresponding to said closed circumferential portion” and “ridges,” together which “provide an indented gripping surface adjacent to the central opening.” Thus, one of skill in the art would not be motivated by the cited references to provide an elongated receiver portion in the way claimed.

In view of the above, reconsideration and withdrawal of the §§ 102 and 103 rejections of each of the claims are requested.

CONCLUSION

This application now stands in allowable form and reconsideration and allowance are respectfully requested.

No fee is deemed necessary. The Commissioner is also hereby authorized to charge any fee deficiency or credit any overpayment associated with this paper to Deposit Account No. 04-1420.

Respectfully submitted,

DORSEY & WHITNEY LLP
Customer Number 25763

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By: 

Bridget M. Hayden

Reg. No. 56,904

Phone: (612) 492-6867